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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,997	11/21/2001	Todd Fjield	TRANS 3.0-037	9697
530	7590 12/02/2003		EXAM	INER
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST			BUDD, MARK OSBORNE	
			ART UNIT	PAPER NUMBER
WESTFIELD,	NJ 07090		2834	
			DATE MAILED: 12/02/2003	3

Please find below and/or attached an Office communication concerning this application or proceeding.

		W.
	Application No.	Applicant(s)
	09/988,997	FJIELD ET AL.
Office Action Summary	Examin r	Art Unit
	Mark Budd	2834
The MAILING DATE of this communicati	ion appears on the cover sheet w	ith the correspondence address
Period for Reply	DEDIVIO CETTO EVOIDE	
A SHORTENED STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNICAT  - Extensions of time may be available under the provisions of 37 after SIX (6) MONTHS from the mailing date of this communicate. If the period for reply specified above is less than thirty (30) day of 15 NO period for reply is specified above, the maximum statutory failure to reply within the set or extended period for reply will, the Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).  Status	FION.  CFR 1.136(a). In no event, however, may a stion.  ys, a reply within the statutory minimum of thin y period will apply and will expire SIX (6) MOI by statute, cause the application to become A	reply be timely filed  ty (30) days will be considered timely.  THS from the mailing date of this communication.  BANDONED (35 U.S.C. 8 133)
1) Responsive to communication(s) filed of	on <u>21 January 2003</u> .	
2a) This action is <b>FINAL</b> . 2b)	This action is non-final.	
Since this application is in condition for closed in accordance with the practice Disposition of Claims	allowance except for formal ma under Ex parte Quayle, 1935 C.	tters, prosecution as to the merits is D. 11, 453 O.G. 213.
4)⊠ Claim(s) <u>1-74</u> is/are pending in the appl	ication.	
4a) Of the above claim(s) <u>34-65</u> is/are wi		
5)⊠ Claim(s) <u>15-33 and 70-74</u> is/are allowed		
6)⊠ Claim(s) <u>1,4-6,10,12,68 and 69</u> is/are rej		
7)⊠ Claim(s) <u>2,3,7-9,11,13 and 14</u> is/are objective		
8) Claim(s) are subject to restriction		
Application Papers	and/or election requirement.	
9) The specification is objected to by the Ex	aminer.	
10) The drawing(s) filed on 21 November 200	<u>01</u> is/are: a)⊠ accepted or b)⊡ o	bjected to by the Examiner.
Applicant may not request that any objectio		
11) The proposed drawing correction filed on	is: a) approved b) c	lisapproved by the Examiner.
If approved, corrected drawings are require	d in reply to this Office action.	
12)☐ The oath or declaration is objected to by t	he Examiner.	
Priority under 35 U.S.C. §§ 119 and 120		
13) Acknowledgment is made of a claim for f	oreign priority under 35 U.S.C.	§ 119(a)-(d) or (f).
a) All b) Some * c) None of:		
1. Certified copies of the priority docu	ıments have been received.	
2. Certified copies of the priority docu	ıments have been received in A	pplication No
3. Copies of the certified copies of the application from the Internation	nal Bureau (PCT Rule 17.2(a)).	_
* See the attached detailed Office action for		
14) Acknowledgment is made of a claim for do		•
a) ☐ The translation of the foreign langua 15)☐ Acknowledgment is made of a claim for do		
Attachment(s)		
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-943)</li> <li>Information Disclosure Statement(s) (PTO-1449) Paper N</li> </ol>	18) 5) Notice of I	Summary (PTO-413) Paper No(s)  nformal Patent Application (PTO-152)  .

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Art Unit: 2834

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 4-6, 10, 12, 68 and 69 are rejected under 35 U.S.C. 102(a) as being anticipated by Scarpa or Hartmann.

Each reference teaches an acoustic lens comprising concentric rings of generally triangular cross sections use to focus ultrasonic energy. The examiner is aware that they do not explicitly teach that "aggregate focussed ultrasound energy would not be predicted at the focal point by Snell's law refraction". However, since they appear to show exactly the same structure claimed by applicant, this relationship would be inherent in the reference structures. Note specifically Scarpa figs. 10-12 and Hartmann figs. 4 and 5.

Claims 2, 3, 7-9, 11, 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-33 and 70-74 are allowed.

Budd/ek

11/19/03

MARK U. BUDO
PRIMARY EXAMINER